UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

RONALD MELTON, et al.,	)	**Case No. C-1-01-528**
Plaintiffs,	)	**(Judge Spiegel)**
-v-	)	
BOARD OF COUNTY COMMISSIONERS OF HAMILTON COUNTY, OHIO, et al.,	)	**AFFIDAVIT OF JAMIE M. RAMSEY**
Defendants.	)	

AFFIDAVIT

STATE OF OHIO)
SS:
COUNTY OF HAMILTON)

Jamie M. Ramsey, having been duly cautioned and sworn, hereby deposes and testifies as follows:

1. I am an associate at the law firm of Keating, Muething & Klekamp, P.L.L., and in that capacity I, along with Louis F. Gilligan, represent Defendants Tom Neyer, Jr., John S. Dowlin and Todd Portune, individually and on behalf of Hamilton County, Ohio, in their capacity as official representatives of the County, Robert Pfalzgraf, M.D. in this matter. The facts set forth below are based upon my personal knowledge, and are true and correct to the best of my information and belief.

2. On November 6, 2002, Plaintiffs were served with Defendant Robert Pfalzgraf's First Set of Interrogatories and Document Requests. [Exhibit A]

3. After being given a generous extension of time in which to respond, and only after Defendant threatened to file a motion to compel, Plaintiffs finally served their responses to Defendant's discovery requests on January 31, 2003. [Exhibit B]. Plaintiffs' responses, however, were incomplete and, in the case of some Plaintiffs, non-existent. For example, although Plaintiffs seek damages for personal "emotional distress" injuries, no medical records of any kind were produced. In addition, three of the Plaintiffs, one of whom has since passed away, failed to respond at all.

4. On July 18, 2003, I forwarded to counsel for Plaintiffs HIPAA compliant medical authorizations in an effort to obtain medical records for those individual Plaintiffs who stated in their discovery responses that they had sought medical treatment or counseling of some sort. [Exhibit C]. I also demanded discovery responses from the three Plaintiffs who never bothered to respond.

5. Defendant began actively seeking complete responses so that the depositions of the respective Plaintiffs could proceed.

6. On August 19, 2003, I contacted counsel for Plaintiffs by letter once again because Defendant still had not received the requested medical authorizations and still had not received discovery responses from Plaintiffs Chester Melton, Clayton Melton, and Glenna Ross. [Exhibit D]

7. Over the next several months, I, and/or my staff, made various telephone calls to the offices of counsel for Plaintiffs in an effort to obtain the requested information.

8. On November 7, 2003, I once again requested in writing that Plaintiffs provide the information that, by that time, was one year past due. [Exhibit E].

9. On or about November 12, 2003, Plaintiffs produced medical authorizations for only two Plaintiffs. [Exhibit F]. Unfortunately, neither of the authorizations was complete, and as a result, Defendant now was back to square one with respect to medical records.

10. On November 18, 2003, in response to my voicemail message, counsel for Plaintiff stated in a letter that he endeavored to provide the requested information with "due dispatch." [Exhibit G]. Counsel for Plaintiff also stated that "the number of individuals involved is costing [sic] unexpected delays."

11. At a hearing in November of 2003, this Court established February 28, 2003, as the deadline for conducting discovery. In light of this fast approaching deadline, I made one last effort to obtain the information without involving this Court.

12. On December 3, 2003, I contacted counsel for Plaintiffs by letter and outlined the information that still needed to be produced, which, basically, was everything Defendant had been requesting by letter and voicemail since July, 2003. [Exhibit H].

13. As of the filing of this motion, counsel for Plaintiffs has not responded to this December 3, 2003, correspondence; nor have Plaintiffs produced any additional documents or information.

Jamie M. Ramsey

Sworn to before me and subscribed in my presence this 18th day of December, 2003.

Notary Public

My commission expires 11-4-08